

TEXAS TRANSPORTATION COMMISSION

TRAVIS County

MINUTE ORDER

Page 1 of 1

AUSTIN District

In or near the City of Austin, Travis County, on US 183, the State of Texas acquired certain land for highway purposes by instruments recorded in Volume 871, at Page 632, and in Volume 2270, at Page 238, Deed Records of Travis County, Texas, including that certain real property described in the attached Exhibit A (the property).

At the request of the Governor of the State of Texas, the Texas Department of Transportation (the department) has allowed the property to be used for sheltering people who are experiencing homelessness. The department now desires to lease the property to a nonprofit entity for the purpose of providing a shelter for persons experiencing homelessness in the Austin area.

Transportation Code, Chapter 202, Subchapter C, authorizes the department to lease highway assets.

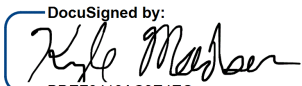
The Texas Transportation Commission (commission) finds that the property to be leased will not be needed for highway purposes during the period of the lease, and that the use of the property by a nonprofit entity for the purpose of providing a shelter for persons experiencing homelessness in the Austin area will be consistent with the safety, maintenance, operation, and beautification of the state highway system. The commission also finds that the lease is in the public interest for social mitigation purposes, and, as such, will be economically beneficial to the department. In accordance with Transportation Code, §202.052 and Title 43, Texas Administrative Code, §21.603, the commission finds that the requirement to charge fair market value for the lease may be waived.

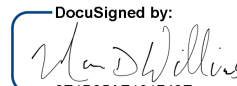
IT IS THEREFORE ORDERED by the commission that the staff of the department is authorized and directed to enter into negotiations and execute a lease agreement for all or a portion of the property with a nonprofit entity for the purpose of providing a shelter for persons experiencing homelessness in the Austin area.

IT IS ALSO ORDERED by the commission that the fair market value requirement is waived for the lease of all or a portion of the property for social mitigation purposes to a nonprofit entity for the purpose of providing a shelter for persons experiencing homelessness in the Austin area.

Submitted and reviewed by:

Recommended by:

DocuSigned by:

BDEF0413AC9E4EC
Director, Right of Way Division

DocuSigned by:

0E1B35AE191749E...
Executive Director

116044 June 30 2021

| | |
|--------|--------|
| Minute | Date |
| Number | Passed |

EXHIBIT A

PROPERTY DESCRIPTION FOR TRACT 1

Description of 6.749 acres (293,994 square feet) of land out of the Santiago Del Valle Grant, Abstract No. 24, in Travis County, Texas, same being portion of that tract of land described as 4.0 acres conveyed to the State of Texas by deed, as recorded in Volume 871, Page 632, Deed Records, Travis County, Texas, and being all of that tract of land described as 3.0 acres conveyed to the State of Texas by deed, as recorded in Volume 2270, Page 238, Deed Records, Travis County, Texas; said 6.749 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a point at the most northerly east corner of this tract, being in the southeast line of said 4.0 acre State of Texas tract and the northwest line of that tract of land described as 6.593 acres conveyed to Palm Harbor Homes, Inc. by deed, as recorded in Document No. 2011058602, Official Public Records, Travis County, Texas, said point of beginning having Grid Coordinates of N=10,058,199.04 E=3,133,048.17, from which a TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) Type I monument found (damaged) at the east corner of said 4.0 acre State of Texas tract and the north corner of said 6.593 acre Palm Harbor Homes tract bears N42°22'04"E 29.47 feet;

- 1) THENCE, with the southeast line of this tract and said 4.0 acre State of Texas tract, and the northwest line of said 6.593 acre Palm Harbor Homes tract, **S42°22'04"W 751.08 feet** to a point at the south corner of said 4.0 acre State of Texas tract and the most northerly east corner of said 3.0 acre State of Texas tract;
- 2) THENCE, continuing with the southeast line of this tract and the northwest line of said 6.593 Palm Harbor Homes tract, with the southeast line of said 3.0 acre State of Texas tract, **S42°22'04"W 259.22 feet** to a spindle found at an angle point in the southeast line of this tract and said 3.0 acre State of Texas tract, at the west corner of said 6.593 acre Palm Harbor Homes tract;
- 3) THENCE, continuing with the southeast line of this tract and said 3.0 acre State of Texas tract and the southwest line of said 6.593 acre Palm Harbor Homes tract, **S47°41'56"E 291.48 feet** to a point at an angle point in the southeast line of this tract and said 3.0 acre State of Texas tract, at the south corner of said 6.593 acre Palm Harbor Homes tract, being in the northwest line of Lot 1, Palm Harbor, a subdivision as recorded in Book 82, Pages 239-240, Plat Records, Travis County, Texas, said Lot 1 conveyed to Palm Harbor Manufacturing, L.P. by deed, as recorded in Document No. 2001195444, Official Public Records, Travis County, Texas;

- 4) THENCE, continuing with the southeast line of this tract and said 3.0 acre State of Texas tract, and the northwest line of said Lot 1 and said Palm Harbor Manufacturing tract, **S42°08'04"W 154.91 feet** to a 1/2" iron rod with "SAM, INC" cap found at the south corner of this tract and said 3.0 acre State of Texas tract, at an angle point in the northwest line of said Lot 1 and said Palm Harbor Manufacturing tract;
- 5) THENCE, with the southwest line of this tract and said 3.0 acre State of Texas tract, and continuing with the northwest line of said Lot 1 and said Palm Harbor Manufacturing tract, **N47°41'06"W 496.33 feet** to a mag nail found at the west corner of this tract and said 3.0 acre State of Texas tract, at an angle point in the northwest line of said Lot 1 and said Palm Harbor Manufacturing tract, being in the southeast line of that tract described as 7.104 acres (Tract 2) conveyed to Bergstrom Storage, LLC by deed, as recorded in Document No. 2018029726, Official Public Records, Travis County, Texas;
- 6) THENCE, with the northwest line of this tract and said 3.0 acre State of Texas tract and the southeast line of said 7.104 acre Bergstrom Storage tract, **N41°59'35"E 414.25 feet** to a 1/2" iron rod with "SAM, INC" cap found at the north corner of said 3.0 acre State of Texas tract and the west corner of said 4.0 acre State of Texas tract;
- 7) THENCE, continuing with the northwest line of this tract and said 4.0 acre State of Texas tract, **N42°22'04"E** passing at 443.09 feet along the southeast line of said 7.104 acre Bergstrom Storage tract, a point at the east corner of said 7.104 acre Bergstrom Storage tract and the south corner of Lot 1, The Rogers Subdivision, a subdivision as recorded in Book 85, Page 55C, Plat Records, Travis County, Texas, said Lot 1 conveyed to Suncraft International, Inc. by deed, as recorded in Volume 12115, Page 821, Real Property Records, Travis County, Texas, from which a 1/2" iron pipe found bears **S47°37'56"E 0.30 feet**, continuing an additional 387.67 feet along the southeast line of said Lot 1 and said Suncraft International tract, for a total distance of **830.76 feet** to a calculated point the north corner of this tract;
- 8) THENCE, with the northeast line of this tract, crossing said 4.0 acre State of Texas tract, **S26°34'25"E 221.74 feet** to the POINT OF BEGINNING and containing 6.749 acres, or 293,994 square feet of land within these metes and bounds, more or less.

All bearings are based on the Texas Coordinate System, Central Zone (4203), North American Datum of 1983 (2011) EPOCH 2010. All distances and coordinates were adjusted to surface using a combined scale factor of 1.00011.

A parcel plat of even date was prepared in conjunction with this property description.

STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF TRAVIS §

That I, Chris Conrad, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 28th day of March, 2019 A.D.

SURVEYED BY:
McGRAY & McGRAY LAND SURVEYORS, INC.
3301 Hancock Dr., Ste. 6 Austin, TX 78731 (512) 451-8591
TBPLS Firm# 10095500



Chris Conrad, Reg. Professional Land Surveyor No. 5623
M:\ATKINS-15-130-TxDOT Acquisition\Descriptions\6.749 AC
Issued 03/28/19

SURVEY OF TRACT 1, 6.749 ACRES IN THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24 CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

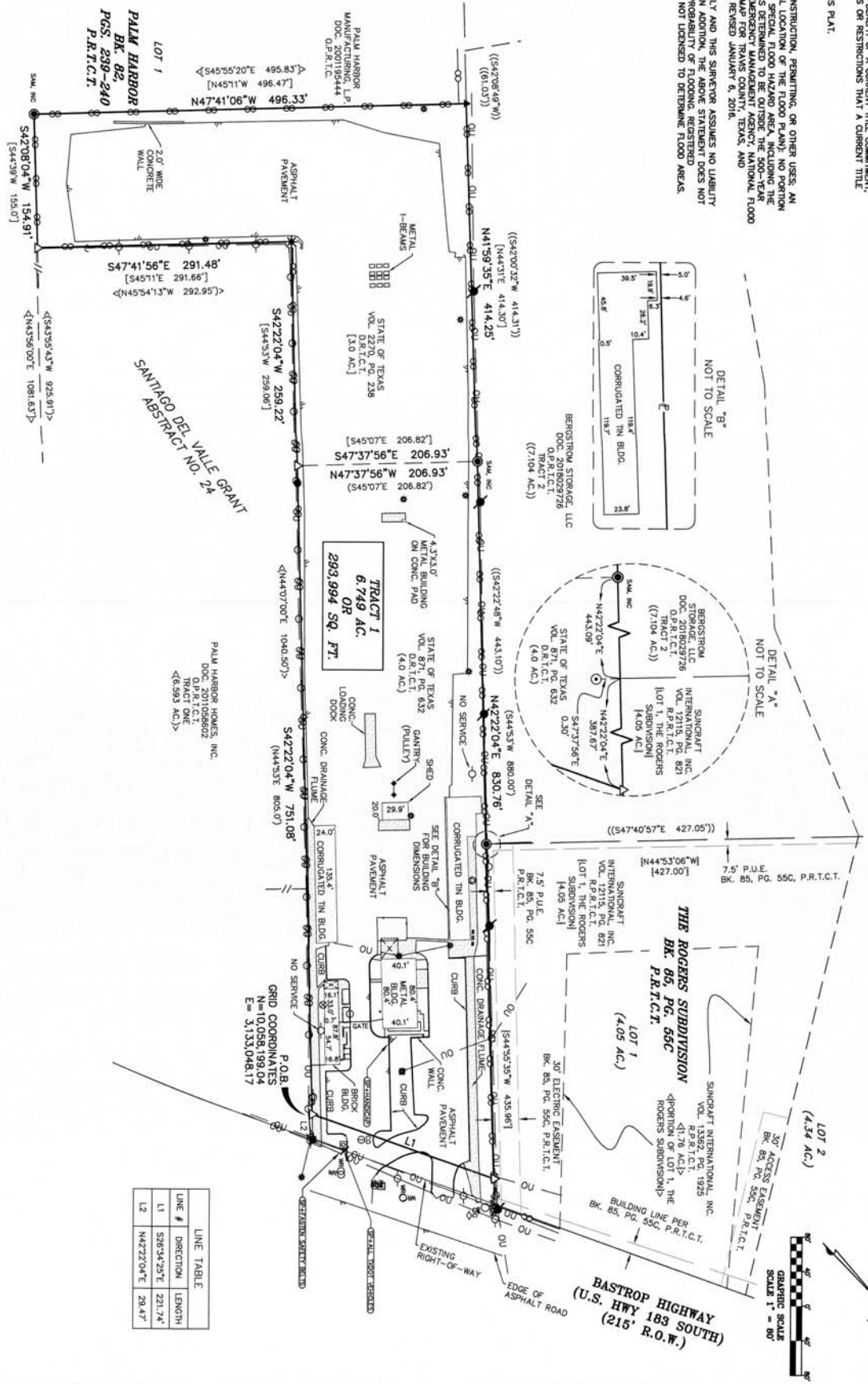
- NOTES:**
- 1) THIS PROJECT IS REFERENCED, FOR ALL BEARING AND COORDINATE BASES, TO THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (GEOID) EPOCH 2010.
 - 2) ALL DISTANCES WERE ADJUSTED TO SURFACE USING A CONVERSION FACTOR OF 1.00011.
 - 3) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, AND WOULD BE SUBJECT TO ANY CONDITIONS OR RESTRICTIONS THAT A CURRENT TITLE COMMITMENT MAY DISCLOSE.
 - 4) THERE IS A DESCRIPTION TO ACCOMPANY THIS PLAT.

FLOOD PLAIN NOTE:
(FOR INSURANCE PURPOSES ONLY, NOT FOR CONSTRUCTION, PLANNING, OR OTHER USES. AN ENGINEER MUST BE CONSULTED FOR THE ACTUAL LOCATION OF THE FLOOD PLAIN. NO ASSURANCE OF THIS LOT IS WITHIN AN IDENTIFIED (SHADED) SPECIAL FLOOD HAZARD AREA, INCLUDING THE 100-YEAR FLOOD, BUT IS WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN, AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD ZONING MAP NO. 44400C DRIED REVISION JANUARY 6, 2016.

THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION. THE SURVEYOR IS NOT A LICENSED PROFESSIONAL ENGINEER, PROFESSIONAL LAND SURVEYORS IN TEXAS ARE NOT LICENSED TO DETERMINE FLOOD AREAS.

LEGEND

| | |
|--|--------------------------------|
| | CALCULATED POINT |
| | 1/2" BOD ROD FOUND |
| | 1/2" BOD ROD WITH SHAP STAMPED |
| | 1/2" BOD ROD (UNLESS NOTED) |
| | COTTON SPINDLE FOUND |
| | 1/2" BOD ROD FOUND |
| | METAL NAIL FOUND |
| | POWER POLE |
| | OUT ANCHOR |
| | METAL UTILITY POLE |
| | ELECTRIC MANHOLE |
| | LIGHT POLE |
| | WATER METER |
| | WATER VALVE |
| | FIRE HYDRANT |
| | GAS METER |
| | GAS MARKER |
| | WASTEWATER MANHOLE |
| | CEMENT |
| | MONITOR WELL |
| | PVC RISER (WATER) |
| | SON POST |
| | GUARD POST |
| | OVERHEAD UTILITY LINE |
| | CHAIN LINK FENCE |
| | WOOD PRIVACY FENCE |
| | EDGE OF ASPHALT |
| | COVERED AREA |



LINE TABLE

| LINE # | DIRECTION | LENGTH |
|--------|-------------|---------|
| L1 | S26°34'25\" | 221.74' |
| L2 | N42°22'04\" | 28.47' |

SURVEYOR'S CERTIFICATE:

THIS SURVEY IS MADE FOR THE BENEFIT OF:

THE UNDERSIGNED HEREBY CERTIFIES THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT, AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF TEXAS. I HAVE PERSONALLY CONDUCTED THE SURVEY, AND I HAVE BEEN ASSISTED BY THE ABOVE-DESCRIBED REAL PROPERTY, AND I HAVE BEEN ASSISTED BY THE ABOVE-DESCRIBED DISSEMINATIONS, NO APPARENT OR VISIBLE DEED LINE CONFLICTS, NO APPARENT OR VISIBLE OVERLAPPING OR IMPROVEMENTS, NO APPARENT OR VISIBLE UTILITY EASEMENTS, AND NO ADJACENT A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

SURVEYED BY:

MCGRAW & MCGRAW LAND SURVEYORS, INC.

AUSTIN, TEXAS 78731 (512) 451-5591

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623

DATE: 03/29/2019



**SURVEY OF TRACT 1, 6.749 ACRES IN
THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 24
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

SURVEYED BY:

MCGRAW & MCGRAW
LAND SURVEYORS, INC.
3301 HARCOCK DRIVE #5
AUSTIN, TEXAS 78731
TEL: 512-451-5591
FAX: 512-451-5550

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|--------------------------------|------------|--------------|-----------|------------------|
| ISSUED: | 03/28/2019 | PARTY CHIEF: | J. POWELL | SHEET 1 OF 1 |
| REVISED: | | ITC#: | D. LONG | DATE: 03/15/2019 |
| FIELD BOOKS: 1816/04-05, 22-24 | | | | |



AERIAL PHOTOGRAPH